



## **CHARTER REVISION AUGUST 20, 2014**

The Charter Revision Commission met on August 20, 2014 at 7 p.m. at the Board of Education Building Conference Room A.

Present: Commissioners Larson, Hutton, Petras, Milardo, Blanchard, Thornton, and Ryan.

Absent: Commissioners Adams, Pessina, Loffredo, and Gaudino

Also Present: Staff Marie Norwood and four members of the public.

Chair Larson opens the meeting at 7:00 p.m.

Chair Larson states they have one bit of business; we don't have to touch items the Council accepted and we should look at the issues under the last Be it further resolved. He would like to take them one at a time.

The Commission has information they requested on the duties of the Treasurer. Chair Larson states the question was what were the duties of the City Treasurer and they can review that information. He states the first item from the Council is relative to that; it is leaving the Treasurer as an elected position or have the Finance Director do the duties without stipend.

Commissioner Milardo states he would like to send it back with the original report's position; it is superfluous and it has no function. The Council can reject it. The point is the time to cutting taxes and spending starts at grass roots level and we should cut out costs to the tax payers. Commissioner Petras seconds the motion.

Commissioner Thornton states she was at the public hearing and noticed a lot of support for the position and she remembers Grady Faulkner coming in and stating there should be more financial oversight and we didn't take the recommendation, the duties of the treasurer could be more explicitly enumerated by ordinance and it could take more of an active role. So many came forward that said they wanted more oversight and she questions if it was the right thing to do. Commissioner Blanchard stands by what he said, while he agrees with the Council leave it as it is, in the future you either increase responsibilities or remove the stipend if you will leave it as it is. He states other elected officials like the Board of Education and Planning and Zoning do not get compensation and they have significant responsibilities to make a stipend worth it. Commissioner Petras would like to keep it as it is and not change gears. Commissioner Milardo states one of the problems he sees is one of the speakers at the Council public hearing and not the Commission's public hearing, is creating a time bomb. The finance department is run by the executive of the city; you can't have another elected position taking positions in opposition to the Mayor. We have to get away from I like the position because so and so is in it. It is about time to have a charter which advises how the government works. You can't put the treasurer in conflict with the finance director. There is no recall and if the treasurer wants to full around with the department and won't sign a bond, what do you do. This is wrong. The people don't need it and the

majority of people he speaks with don't want it. We don't need it. Commissioner Ryan states we discussed this in great detail and we should stick with what we did then and I see no reason to change. Commissioner Hutton agrees with. Chair Larson calls the vote and it is four aye votes by Commissioners Milardo, Petras, Hutton and Ryan and two nay votes by Commissioners Blanchard and Thornton. The report will keep the recommendation to appoint the Finance Director as Treasurer without a stipend.

Chair Larson states the next item under discussion is the Council's recommendation to leave in the compensation of \$100,000, but remove the stipend and CPI reference. Commissioner Milardo states I move to keep it the same as we recommended in the report; Commissioner Blanchard seconds the motion.

Commissioner Thornton states it was interesting to listen to the beginning and find out the Mayor can opt out of pension if he so chooses and receive Social Security. She did not know that and she would have. She didn't realize she would be in there for 8 years and I don't think that is right and it is not fair to not give them a compensation for their retirement. I am in favor of the annuity; and not in favor of removing the CPI, if you don't leave it in there, you will wind up in the same position in a few years the same way it is now. It is to take away the politicization of the office and it was rampant for years. There were a lot of people who could not run for office because of the pay and notwithstanding going forward 8 years, it still ended up at only \$75,000. If you agree the Mayor's salary should be above and beyond political vagaries and you remove it from those arguments, and she agrees that you should cap CPI. It should be like the retirees of no more than 3%.

Dr. Larson states would it sound like a compromise if we put in the \$100,000 and leave the CPI in and then take out the \$15,000 for the annuity but say the city Pension Board has to make it clear what the retirement compensation is and define it. Then they can opt for Social Security or take the pension and after four years get the pension. Commissioner Milardo states you can't put it in the budget and if going to a four year term and once it is fixed, next year it is \$85,000 and it doesn't pass it will be \$85,000 and the only way to ensure fair compensation and keep up with inflation of retirees and he should benefit. This way it works. Where we came from, it was tied into a package and it got sliced up. We were in favor of limiting to two terms and the \$15,000 would have been a substantial payment to a plan. Over 8 years the \$15,000 would amount to a lot of money.

Commissioner Ryan states the Common Council will do what it wants to do and we spent a lot of time on this issue and we should stick with the original recommendation; if we want to give the mayor option of taking annuity or Social Security or we could do that. Chair Larson states the conversation we had we were told the Mayor does have the option of saying I want retirement system and maybe adjusting it so he won't need the ten years and the other is he can go with social security so you continue to get it. Commissioner Milardo states the employer will have to pay it. Commissioner Hutton states the State, you get both.

Commissioner Blanchard states the CPI is substantial but leave in the tax shelter annuity and keep in the Council can raise the salary and it is a descent salary for the next ten years and you are giving the mayor an extra \$200,000 a year. Increase the term from two to four, you are giving the mayor 2 more years of security and the CPI is next to nothing and leave in the Council to raise it. Commissioner Milardo points the Council can only increase it every four years and it is a long time.

Commissioner Milardo moves to send it back the way it is; he would accept a friendly amendment. Commissioner Ryan seconds the motion. Commissioner Thornton moves to amend it to cap the CPI at 3% and keep the TSA of \$15,000. Commissioner Blanchard asks if the Council can change it. If you put in the exception regarding the stipend, then you would have to adjust it. He would remove the Council's stipend.

Chair Larson states the motion is to leave what is intact and add 3% CPI and amend section 4 which is already amended. Commissioner Milardo thinks we might have to change next biennial election. Any official can have their salary changed until the next biennial election. Go with the original and add a cap of 3%. Chair Larson calls for the vote and it is unanimous to approve with six aye votes.

Chair Larson states No. 5 is the Council stipend and remove the CPI language. Let the Council decide their stipend. Commissioner Blanchard states we were bringing them to what they are. He moves to accept the Council recommendation. Commissioner Petras seconds the motion. Commissioner Ryan states he could not be at the meeting and asks if there was much of a discussion. The Chair states no. He calls for the vote and it is unanimous to accept the Council recommendation and remove the language regarding the Council stipend with six aye votes.

Chair Larson states the next item is 8. The Clerk advises the Commission that this is putting back the language in Section 7B of Chapter III that the Town Clerk in consultation with General Counsel determines what is of public interest. She mentions that the former Town Clerk would like to have a definition of public interest. Commissioner Milardo states they should leave it the way they recommended it; they do not want to define what is of public interest and let the courts decide. Larson do we want to accept what the Council recommends which is to leave the language as it is. Commissioner Milardo states no, he wants to leave it alone. We said remove the town clerk consulting with general counsel and make only the general counsel determine if it is of public interest. The town clerk has to determine if the petitions are done correctly. Chair Larson our recommendation was to remove the m town clerk and Council wants to leave the town clerk.

Commissioner Milardo moves to keep it the way they decided. Commissioner Petras seconds the motion. Commissioner Ryan asks what is the reason not to leave it. Commissioner Milardo states determining what is of public interest is not in purview of a town clerk; Commissioner Ryan asks if general counsel can determine it. Commissioner Milardo explains the purpose of the section and what occurred when a petition was handed in regarding siting the high school. It was decided that the Council already made the decision and we thought it would allow for referendum so if it is germane to city business, they could make a determination you don't have a say. A city employee is not subject to recall and should not have that responsibility and Councilwoman Driska said they shouldn't. At the time, Trina Solecki was the attorney and we were giving them a sense what the town was thinking. Commissioner Ryan asks what the Council's intent to have the town clerk remain. Commissioner Thornton states there was a second petition by the Deputy Police Chief wanting a referendum for Chief. She asks if it should be the town clerk and city attorney. Dr. Larson States the former Town Clerk said the town clerk should not be the arbiter.

There is no further discussion. Char Larson calls for the vote to keep their recommendation as it is; It is unanimous to leave it with six aye votes.

The Chair states item 12. Common Council to set salaries and stipends Chair Larson states they are keeping the Mayor's salary so they should reject it. Commissioner Petras so moves. The vote is called and it is unanimous, with six aye votes, to reject this in view of the Mayor's salary.

Chair Larson states the Council would like the commission to reconsider 27B, the Planning and Zoning Commission requiring a simple majority to approve. Commissioner Blanchard stated it was six to two. This is one of the suggestions that can have one of the most important impacts. You are weakening Planning and Zoning when you are going to four year terms for the mayor and council and if doing simple majority approval, you are making it more experimental. He moves to reject this. Commissioner Ryan seconds that. Chair Larson states he has lived in town 21 years and I don't recall this ever having an issue. Commissioner Milardo responds yes they do and they had an issue over the zoning of Washington Street. I would be careful about changing this. Chair Larson states there is an appellate process. Commissioner Milardo responds yes. Chair Larson calls for the vote and it is unanimous to leave it as it is with six aye votes.

Chair Larson states there is another Be it further regarding questions and we could also footnote that there be a separate question for Mayor and Council regarding four year terms. Commissioner Milardo so moves and is seconded by Commissioner Petras. The vote is called and it is unanimous to approve with six aye votes.

Chair Larson states it has been a pleasure. I appreciate the cooperation amongst everyone here. Commissioner Milardo thanks the group for being open and it would have been nice to get more deeply involved with some of the theories of governance.

The clerk asks that the committee approve the minutes. Commissioner Blanchard so moves and his motion is seconded by Commissioner Thornton. The vote is unanimous with six ayes.

Chair Larson states they have done a good job meeting almost every Tuesday Commissioner Blanchard moves to adjourn and is seconded by Commissioner Petras. The Chair adjourns the meeting at 7:40 p.m.

ATTEST:

MARIE O NORWOOD  
STAFF